

FISCAL NOTE

SB 2950 - HB 2776

February 12, 2000

SUMMARY OF BILL: Provides for the service of process in general sessions court by private process servers who are not a party and who are at least 18 years of age. Requires private process servers to file a petition with the court clerk which includes a certificate of completion of education courses, proof of errors and omissions liability insurance and a surety bond in the amount of \$15,000. Such education courses may be provided by a general sessions court judge, the sheriff's department, the Tennessee Association of Professional Process Servers, or any other school authorized by the court. Requires each general sessions court to compile and maintain a list of those qualified to serve process issued by such court. Requires private process servers to attend in-service training classes each year and file proof of attendance with the general sessions court clerk.

ESTIMATED FISCAL IMPACT:

Decrease Local Govt. Revenues - Exceeds \$500,000

Decrease Local Govt. Expenditures - Exceeds \$100,000

Assumes:

- fees collected for service of general sessions civil process by sheriffs are estimated to exceed \$3,000,000 annually.
- approximately 20% of general sessions civil process will be served privately rather than by sheriffs under this bill resulting in decreased local government revenues.
- local government entities choosing to offer education courses to private process servers under this act would charge a fee for attendance to offset the costs.
- the increased local government expenditures related to maintaining records on private process servers would be not significant.
- the expenditures associated with serving general sessions civil process will decrease with reduction in the number of papers served by sheriffs. This decrease is estimated to exceed \$100,000 for local governments statewide although sheriff's offices are not expected to significantly reduce staffing levels.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director